IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.3147 OF 2005

M/s M.R.S.Filmcraft
& Advertising Pvt. Ltd. and
others ...Applicants

Vs.

State of Maharashtra & Anr. ...Respondents

...
Mr.S.V.Marwadi with R.K.Associates for
Applicants
Mr.S.R.Shinde A.P.P. for the State
Mr.Prakash Naik for Respondent no.2
...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : AUGUST 11,2005

P.C.

1. Heard the learned advocate for the applicants, the learned A.P.P. for the State and the learned advocate for the respondent no.2.

2. The applicants are facing prosecution in C.C.No.8/I&R/2004 which is pending before the learned Metropolitan Magistrate, 37th Court, Esplanade, Mumbai. In the said case, certain properties came to be seized vide panchnama dated 5.10.2004. The applicants are seeking return of

the said property which is reflected in panchnama dated 5.10.2004.

3. The applicants had earlier preferred an application before the trial Court for return of the said property. The said application was numbered as 412/N/2004. However, by order dated 4.2.2005, the said application came to be dismissed as the applicants and their advocate were absent. In my view, the appropriate course would be that the applicants are permitted to prefer a fresh application before the trial Court for return of the property. Mr.Marwadi, the learned advocate for the applicants states that the necessary application will be preferred within ten days from today. In case, the application is filed within ten days from today, the trial Court after hearing the necessary parties, shall dispose of the said application on merits expeditiously and as far as possible by 15.10.2005.

3. Application is disposed of.

4. Authenticated copy be issued to the parties.

[V.K.TAHILRAMANI,J.]